

Amendment
Application No. 10/083,684
Attorney Docket No. 020254

REMARKS

Claims 1-4, 6-10, 12-14, 16-19, 21-23, and 25-27, 29, 31-32 are pending. Claims 1-4, 6-10, 12-14, 16-19, 21-23, 25 and 26 are allowed. Claims 28 and 30 have been cancelled herein. Claims 27 and 29 have been amended herein to include features from the limitations of original claims 28 and 20.

Applicants' Response to the Claim Rejections under 35 U.S.C. §103(a)

Claims 27 and 31 are rejected under 35 U.S.C. §103(a) as being unpatentable over Toshiyuki et al. (6,906,548). The Office specifically refers to the limitation of including impurities and atoms to amorphize the single crystal within claims 27 and 29 as being process limitation. In regard to this limitation, "including impurities and atoms to amorphize said single crystal semiconductor" applicants note that this is a structural limitation because a structural distinction of the impurities in the shallow junction is present in the device as claimed. In further response to the rejection, applicants have amended claims 27 and 31 to more distinctly claim the subject matter regarded as the invention. Specifically, applicants have included the limitations of claims 28 and 30. Wherefore, applicants respectfully submit that the rejection is now moot.

Claims 28-30 and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Toshiyuki et al. (6,906,548) in view of Rodder (6,093,610). Specifically, the Office relies on Rodder for its disclosure of As impurities. In response thereto applicants have amended the claim limitation to the impurity types of Ge and Ar. Wherefore, applicants respectfully submit

Amendment
Application No. 10/083,684
Attorney Docket No. 020254

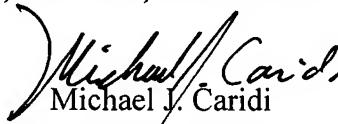
that Toshiyuki in combination with Rodder do not teach each and every limitation of the claimed invention.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Michael J. Caridi
Attorney for Applicants
Registration No. 56,171
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

MJC/ttw